



A.S. No.770 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17.10.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

A.S.No.770 of 2019
and
C.M.P.No.23255 of 2019

1.Kolandasmay Gounder
S/o. Nallathambi,
33, Passumai Nagar,
Pichandaampalayam Post,
Erode Main Road,
Perundurai, Erode District.

2.Palanisamy Gounder
S/O. Nallathambi,
No.34/5,
Kandampalayam Pirivu,
Erode Road, Perundurai
Erode District.

...Appellants

Vs.

1.Rangasamy
S/O. Chinnaibaba Gounder,
No.50/16, Sanankadu,
Pichandampalayam Post,
Erode Main Road, Opp To Maharaja Arts College,
Perundurai,
Erode District.

2.Krishnasamy
S/O. Saravana Gounder,



A.S. No.770 of 2019

No.88/89, D.M.W.Pichandampalayam Post,
Erode Main Road, Opp To Maharaja Arts College,
Perundurai, Erode District

3.Chinnappa Gounder,
S/O. Chinna Gounder,
D.M.W.Pichandampalayam Post,
Erode Main Road, Opp To Maharaja Arts College,
Perundurai
Erode District

4.Nallappan
S/O. Chinna Gounder,
D.M.W. Pichandampalayam Post,
Erode Main Road, Opp Maharaja Arts College,
Perundurai
Erode District

...Respondents

PRAYER:

Appeal Suit filed under Section 96 read with Order 41 Rule 1 of Code of Civil Procedure to set aside the judgement and decree in Os No.217/2015 dt 31/07/2019 on the file of the I Additional District Judge Erode.

APPEARANCE OF PARTIES:

For Appellants : Ms.V.Srimathi.

For Respondent : R1 – refused.
Mr.C.Ramaraj for R2 & R4.
R3 – Died.

J U D G M E N T



A.S. No.770 of 2019

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This case has been listed today under the caption 'Default cases'. It is seen that R3 died and no steps have been taken from the year 2020 to till date to implead the legal heirs of the deceased R3. It is also submitted by the learned counsel for the appellant that both the appellants died and no steps have been taken to implead the legal heirs of the deceased appellants. Learned counsel for the respondents 2 and 4 is present.

2.Hence, this appeal suit is dismissed as abated. No costs. Consequently, the connected miscellaneous petition is closed.

17.10.2025

ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No

To

1.The I Additional District Court,
Erode.

2.The Section Officer,
V.R.Section, High Court of Madras,

3/5



Chennai.

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A.S. No.770 of 2019

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A.S. No.770 of 2019

17.10.2025